

REMARKS

Claims 1-13 have been cancelled. Claims 14-22 have been added.

Claims 8-13 were objected to under 37 CFR 1.75(c) as containing multiple dependent claims depending from other multiple dependent claims. Claims 6 and 7 were rejected under Section 112, second paragraph, as being indefinite. New claims 14-22 are rewritten from claims 1-9 with a view towards eliminating the multiple dependent claims depending from other multiple dependent claims as well as correcting the indefinite rejections. Applicant respectfully submits that new claims 14-22 conform to the statute and rules.

In further response to the Office Action dated November 19, 2002, applicant respectfully requests reconsideration of this application.

Claims 1-7 were rejected under Section 102(b) as being anticipated or alternatively under Section 103(a) as being obvious over EP 765,959 (Nagaoka et al.). New claims 14-22 have been rewritten from claims 1-9 and will be the basis of this response to the 102(b)/103(a) rejection based on Nagaoka. The present invention relates to a base cloth for a tufted carpet, which is different from a mere nonwoven fabric as disclosed by Nagaoka. The base cloth set forth in claims 14 and 16 is such that the filaments constituting the base cloth are formed of a polymer with a high melting point and a polymer with a low melting point. The filaments have a cross section that is any one selected from a group of side-by-side, islands-sea, sheath-core and multilobe types. The filaments, therefore, have a composite-type cross section. When the filaments are thermally bonded with each other to form a nonwoven fabric, the polymer with the low melting point contributes to such bonding by softening or melting (becoming resin-like). On the other hand, the polymer with the high melting point maintains its form without being affected by the applied heat. In sum, the polymer with the low melting point is resinified to contribute to thermal bonding whereas the polymer with the high melting point is free from being affected by the applied heat so that it can keep its filament form. Therefore, even if the resinified areas are broken by being stung with tuft needles during

tufting and the once-bonded filaments are separated, the filaments themselves are not severed or cut because the high-melting point polymer of the filaments was not resinified. Filament form is thereby well maintained. Thus, it is possible to securely maintain the strength and configurational form required of a base cloth. Nagaoka does not teach or suggest this feature.

Further, with regards to the invention claimed in new claims 18 and 19, in the base cloth for tufted carpet, the filaments constituting the base cloth have a single-phase cross section. The filaments are thermally bonded with each other and adhered to each other with binder resin at contact points. Therefore, the base cloth secures required strength because of the thermal and binder resin bonding of the filaments. This construction is not taught nor suggested by Nagaoka. As compared with the case in which the strength required of a base cloth is maintained only by thermally bonding filaments with each other, the strength obtained by thermal bonding may be decreased in correspondence to the degree of bonding strength obtained by use of binder resin. Since the thermal bonding strength may be lowered, the thermal bonding temperature may also be set at a lower point. As a result, the filaments constituting the base cloth are hardly damaged by heat. Accordingly, even if the areas bonded with binder resin are broken by being stung with tuft needles during tufting, the filaments themselves are not severed or cut and the strength and configurational form required of a base cloth is maintained.

Moreover, with regards to the invention claimed in new claim 20, in the base cloth for tufted carpet, the base cloth constitutes nonwoven fabric made of a mixture of first filaments formed of a first poly lactic acid based polymer and second filaments formed of a second poly lactic acid having a melting point lower than that of the first poly lactic acid. This construction is neither taught nor suggested by Nagaoka.

Applicant submits that the claimed invention clearly distinguishes over the cited references and should be found allowable.

A check in the amount of Two Hundred Fifty Two Dollars (\$252.00) is enclosed to cover the additional independent claims.

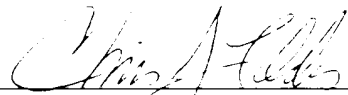
U.S. Serial No. 09 720,629 -- 6

This request for reconsideration is felt to be fully responsive to the comments and suggestions of the examiner and to place this application in condition for allowance. Favorable action is requested.

Respectfully submitted,

Atsushi Matsunaga et al.

Fildes & Outland, P.C.

A handwritten signature in cursive script, appearing to read "Chris J. Fildes", is written over a horizontal line.

Christopher J. Fildes, Attorney
Registration No. 32,132
20916 Mack Avenue, Suite 2
Grosse Pointe Woods, MI 48236
(313) 885-1500